

***Reinig v. RBS Citizens, N.A.***  
**Amended Exhibit List**

Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
J-1	Citizens' Time Sheet Policies (2012 to Present), CITIZENS002189-002204	Citizens	Citizens' Business Record		
J-2	Citizens' Retail LO Overtime FAQ, CITIZENS002243-002244	Citizens	Citizens' Business Record		
J-3	Memo from T. Gamache to MLOs re Time Entry and Overtime Practices, CITIZENS002238-002244	Citizens	Citizens' Business Record		
J-4	Citizens' 2013 HLS (MLO) Compensation Plan, CITIZENS000658-000677	Citizens	Citizens' Business Record		
P-1	Citizens Financial Group, Inc. Consumer Banking, Home Mortgage 2016 Home Mortgage Retail Sales Producing Incentive Plan Incentive Grids, Citizens0016106-Citizens0016108	Citizens	Citizens' Business Record	Cumulative of J-4 (Fed. R. Evid. 403) plans are substantially similar	Plan is not cumulative; the 2013 Plan was not in effect in 2016 and the 2016 plan includes a significant amount of the class period.
P-2	Citizens Financial Group, Inc. Consumer Banking, Home Mortgage 2017 Home Mortgage Retail Sales Producing Incentive Plan Incentive Grids, Citizens0016135-Citizens0016137	Citizens	Citizens' Business Record	Cumulative of J-4 (Fed. R. Evid. 403) plans are substantially similar	Plan is not cumulative; the 2013 Plan was not in effect in 2017 and the 2017 plan includes a significant amount of the class period.
P-3	Mortgage Loan Officer Description at Citizens Bank CITIZENS0000535-CITIZENS0000539	Citizens	Citizens' Business Record	Confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Relevant to show hours worked; documents constitute business records; authenticated through testimony and/or document responses.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-4 (1) p.1-p.4	CITIZENS_ESI00028857.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of CITIZENS_ESI00029362.txt) (Fed. R. Evid. 403)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (2) p.5-p.8	CITIZENS_ESI00029310.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (3) p.9-p.12	CITIZENS_ESI00029362.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury, (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. majority duplicative of CITIZENS_ESI00028857.txt; (Fed. R. Evid. 403)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (4) p.13-p.15	CITIZENS_ESI00030512.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (5) p.16-p.17	CITIZENS_ESI00043852.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-4 (6) p.18	CITIZENS_ESI00070094.TIF	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (7) p.19-p.22	CITIZENS_ESI00088575.txt	Citizens	Citizens' Business Record	Relevance (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, and/or is cumulative (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid. 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (8) p.23-p.25	CITIZENS_ESI00091927.txt	Citizens	Citizens' Business Record	Overtime for operational individuals is irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (9) p.26-p.27	CITIZENS_ESI00092765.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (10) p.28	CITIZENS_ESI00174054.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (11) p.29-p.31	CITIZENS_ESI00174062.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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P-4 (12) p.32	CITIZENS_ESI00174074.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (13) p.33	CITIZENS_ESI00174122.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (14) p.34	CITIZENS_ESI00174125.txt	Citizens	Citizens' Business Record	Relevance (discussion regarding Loan Officer Assistants and PSMs and overtime is irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked) (Fed. R. Evid. 401 & 402); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (15) p.35	CITIZENS_ESI00174290.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (16) p.36	CITIZENS_ESI00174291.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of majority of CITIZENS_ESI00174293.txt) (Fed. R. Evid. 403)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (17) p.37	CITIZENS_ESI00174293.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of CITIZENS_ESI00174291.txt) (Fed. R. Evid. 403); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-4 (18) p.38	CITIZENS_ESI00176588.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (19) p.39	CITIZENS_ESI00176883.txt	Citizens	Citizens' Business Record	Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (20) p.40-p.41	CITIZENS_ESI00186953.txt	Citizens	Citizens' Business Record	Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (21) p.42-p.43	CITIZENS_ESI00188146.txt	Citizens	Citizens' Business Record	Relevance (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (22) p.44-p.46	CITIZENS_ESI00188459.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of substantive portion of CITIZENS_ESI00190004.txt) (Fed. R. Evid. 403)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (23) p.47	CITIZENS_ESI00188587.txt	Citizens	Citizens' Business Record	Relevance (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury(Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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P-4 (24) p.48	CITIZENS_ESI00189009.txt	Citizens	Citizens' Business Record	Discussion regarding offset is irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (25) p.49	CITIZENS_ESI00189035.txt	Citizens	Citizens' Business Record	Relevance (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (26) p.50-p.51	CITIZENS_ESI00190004.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of substantive portion of CITIZENS_ESI00188459.txt) (Fed. R. Evid. 403)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (27) p.52-p.53	CITIZENS_ESI00190201.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (28) p.54	CITIZENS_ESI00190209.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of substantive portion of CITIZENS_ESI00190211.txt ; CITIZENS_ESI00190213.txt; CITIZENS_ESI00190214.txt; CITIZENS_ESI00190215.txt; CITIZENS_ESI00190216.txt) (Fed. R. Evid. 403)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.



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P-4 (29) p.55	CITIZENS_ESI00190211.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of substantive portion of CITIZENS_ESI00190209.txt; CITIZENS_ESI00190213.txt; CITIZENS_ESI00190214.txt; CITIZENS_ESI00190215.txt; CITIZENS_ESI00190216.txt) (Fed. R. Evid. 403)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (30) p.56	CITIZENS_ESI00190213.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of substantive portion of CITIZENS_ESI00190209.txt; CITIZENS_ESI00190211.txt; CITIZENS_ESI00190214.txt; CITIZENS_ESI00190215.txt; CITIZENS_ESI00190216.txt) (Fed. R. Evid. 403)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (31) p.57	CITIZENS_ESI00190214.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of CITIZENS_ESI 00190209.txt; CITIZENS_ESI00190211.txt; CITIZENS_ESI00190213.txt; CITIZENS_ESI00190215.txt; CITIZENS_ESI00190216.txt)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (32) p.58	CITIZENS_ESI00190215.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of CITIZENS_ESI 00190209.txt; CITIZENS_ESI00190211.txt; CITIZENS_ESI00190213.txt; CITIZENS_ESI00190214.txt; CITIZENS_ESI00190216.txt)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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P-4 (33) p.59-p.60	CITIZENS_ESI00190216.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of CITIZENS_ESI 00190209.txt; CITIZENS_ESI00190211.txt; CITIZENS_ESI00190213.txt; CITIZENS_ESI00190214.txt; CITIZENS_ESI00190215.txt)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (34) p.61-p.64	CITIZENS_ESI00190689.txt	Citizens	Citizens' Business Record	Relevance (pertains to underwriters, not MLOs) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (35) p.65	CITIZENS_ESI00191352.txt	Citizens	Citizens' Business Record	Relevance (discussion regarding offset is irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all of the hours they worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (36) p.66	CITIZENS_ESI00191388.txt	Citizens	Citizens' Business Record	Relevance (internal questions regarding rate associated with overtime is irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury, (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (37) p.67	CITIZENS_ESI00191391.txt	Citizens	Citizens' Business Record	Relevance (payment of overtime and commissions is irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.



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P-4 (38) p.68-p.69	CITIZENS_ESI00191396.txt	Citizens	Citizens' Business Record	Relevance (operational issues are irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (39) p.70-p.71	CITIZENS_ESI00191399.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (40) p.72	CITIZENS_ESI00191431.txt	Citizens	Citizens' Business Record	Relevance (questions regarding commission offsets are irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (41) p.73	CITIZENS_ESI00191454.txt	Citizens	Citizens' Business Record	Relevance (questions regarding commission offsets are irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (42) p.74-p.75	CITIZENS_ESI00191753.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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P-4 (43) p.76-p.77	CITIZENS_ESI00191882.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (44) p.78-p.80	CITIZENS_ESI00192776.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury, undue delay (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (45) p.81-p.85	CITIZENS_ESI00192872.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of CITIZENS_ESI00192880.txt and duplicative in part of CITIZENS_ESI00192878.txt) (Fed. R. Evid 403)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (46) p.86	CITIZENS_ESI00192878.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative in part of CITIZENS_ESI00192872.txt; CITIZENS_ESI00192880.txt) (Fed. R. Evid 403); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (47) p.87-p.92	CITIZENS_ESI00192880.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative in part of CITIZENS_ESI00192872.txt; CITIZENS_ESI00192878.txt)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-4 (48) p.93	CITIZENS_ESI00192886.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury(Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (49) p.94-p.96	CITIZENS_ESI00193857.txt	Citizens	Citizens' Business Record	Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (50) p.97	CITIZENS_ESI00194090.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (51) p.98-p.101	CITIZENS_ESI00194595.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (52) p.102-p.104	CITIZENS_ESI00195868.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (53) p.105-p.107	CITIZENS_ESI00196184.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-4 (54) p.108-p.109	CITIZENS_ESI00196583.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (55) p.110-p.113	CITIZENS_ESI00196636.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (56) p.114-p.122	CITIZENS_ESI00196640.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative in part of CITIZENS_ESI00196643.txt) (Fed. R. Evid 403)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (57) p.123	CITIZENS_ESI00196643.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative in part of CITIZENS_ESI00196640.txt) (Fed. R. Evid 403); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (58) P.124	CITIZENS_ESI00196648.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (59) p.125	CITIZENS_ESI00196867.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury and is cumulative (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-4 (60) p.126	CITIZENS_ESI00196873.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury and is cumulative (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (61) p.127-p.128	CITIZENS_ESI00196875.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, and is cumulative (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (62) p.129	CITIZENS_ESI00196878.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Cumulative (i.e. duplicative of CITIZENS_ESI00196882.txt) (Fed. R. Evid. 403); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (63) p.130	CITIZENS_ESI00196882.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Cumulative (i.e. duplicative of CITIZENS_ESI00196878.txt) (Fed. R. Evid 403); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (64) p131-p132	CITIZENS_ESI00196999.txt	Citizens	Citizens' Business Record	Relevance (discussion of offsets is irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.



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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-4 (65) p.133	CITIZENS_ESI00197774.txt	Citizens	Citizens' Business Record	Relevance (documents regarding loan officer assistants are irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (66) p.134	CITIZENS_ESI00200714.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (67) p.135	CITIZENS_ESI00201018.TIF	Citizens	Citizens' Business Record	Relevance (question regarding registration is irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, and/or is cumulative (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (68) p.136-p.137	CITIZENS_ESI00205019.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (69) p.138-p.139	CITIZENS_ESI00205211.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.



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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-4 (70) p.140-p.141	CITIZENS_ESI00205864.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (71) p.142-p.144	CITIZENS_ESI00205886.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (72) p.145	CITIZENS_ESI00206259.txt	Citizens	Citizens' Business Record	Relevance (underwriters hours of work is irrelevant as to whether Citizens had a policy or practice that caused MLOs to not report all hours worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (73) p.146-p.147	CITIZENS_ESI00206457.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (74) p.148-p.150	CITIZENS_ESI00206884.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (75) p.151	CITIZENS_ESI00207179.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-4 (76) p.152-p.154	CITIZENS_ESI00207225.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (77) p.155	CITIZENS_ESI00207373.txt	Citizens	Citizens' Business Record	Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (78) p.156-p.157	CITIZENS_ESI00207886.txt	Citizens	Citizens' Business Record	Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (79) p.158	CITIZENS_ESI00208383.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (80) p.159-p.160	CITIZENS_ESI00208436.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (81) p.161-p.177	CITIZENS_ESI208613.pdf - CITIZENS_ESI208633.pdf	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-4 (82) p.178	CITIZENS_ESI00209183.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (83) p.179	CITIZENS_ESI00209628.TIF	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (84) p.180-p.185	CITIZENS_ESI00210243.pdf - CITIZENS_ESI00210248.pdf	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (85) p.186	CITIZENS_ESI00210275.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid. 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (86) p.187	CITIZENS_ESI00210453.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (87) p.188	CITIZENS_ESI00210688.TIF	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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P-4 (88) p.189	CITIZENS_ESI00223267.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (89) p.190	CITIZENS_ESI00227550.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid. 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (90) p.191	CITIZENS_ESI00229472.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid. 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (91) p.192	CITIZENS_ESI00233175.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid. 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (92) p.193	CITIZENS_ESI00266716.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid. 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (93) p.194	CITIZENS_ESI00284387.txt	Citizens	Citizens' Business Record	Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-4 (94) p.195-p.206	CITIZENS_ESI00285323.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (95) p.207	CITIZENS_ESI00312334.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid. 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (96) p.208	CITIZENS_ESI00312504.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-4 (97) p.209-p.210	CITIZENS_ESI00313020.txt	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid. 106)	Email is relevant to show employer knowledge of hours worked/off-the-clock pay practices; document constitutes business record and statement against interest/admission of party opponent; foundation will be established.
P-5	Retail LO Sales 2017 Budget Overtime Reviews	Citizens	Citizens' Business Record	Relevance (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury, undue delay (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Relevant to show hours worked; documents constitute business records; authenticated through testimony and/or document responses.
P-6	CONFIDENTIAL - Class Hours Worked Data 17Jan2017.XLSX	Citizens	Citizens' Business Record	Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Document provides hours worked and was produced by Defendant as a native file showing hours worked of all class members. Foundation will be provided by designee witness if not stipulated to (D produced the document it claims as inauthentic in discovery)



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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-7	Loan Officer Time Management Guidelines, Citizens0002240-Citizens0002242	Citizens	Citizens' Business Record	Cumulative (i.e. duplicative of CITIZENS_ESI002238-002244) (Fed. R. Evid 403)	Relevant to show policies of time reporting at Citizens; not duplicative
P-8	Class List provides names and Employee ID numbers for class member, or any excerpt thereof	Citizens	Citizens' Business Record	Relevance (the class list has no bearing on whether Citizens had a policy or practice that caused MLOs to not report all of the hours they worked) (Fed. R. Evid. 401 & 402)	Class List is relevant to show size of class. Necessary since D will argue P's evidence is too anecdotal.
P-9	Named Plaintiff Monthly Loan Officer Commission Reports (Pedersen - CITIZENS0005222-CITIZENS0005246; Reinig - CITIZENS0000454-CITIZENS0000476; Gritz - CITIZENS0000477-CITIZENS0000492; Soda - CITIZENS0000493-CITIZENS0000531)	Citizens	Citizens' Business Record	Relevance (the commission reports have no bearing on whether Citizens had a policy or practice that caused MLOs to not report all of the hours they worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, (Fed. R. Evid. 403); Lack of personal knowledge (Fed. R. Evid. 602); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Documents are business records of Citizens; Commission reports relevant to show hours worked and production.
P-10	Opt-In Plaintiff Monthly Loan Officer Commission Reports (Cremeans - CITIZENS0012668-CITIZENS0012675; Fiorello - CITIZENS0009194-CITIZENS0009203; Fragale - CITIZENS0002012-CITIZENS0002028)	Citizens	Citizens' Business Record	Relevance (the commission reports have no bearing on whether Citizens had a policy or practice that caused MLOs to not report all of the hours they worked) (Fed. R. Evid. 401 & 402); Probative value is substantially outweighed by unfair prejudice, confusing the issues, (Fed. R. Evid. 403); Lack of personal knowledge (Fed. R. Evid. 602); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Documents are business records of Citizens; Commission reports relevant to show hours worked and production.
P-11	Opt-In Plaintiff Attendance Records (Cremeans - CITIZENS0010203-CITIZENS0010229; Comber - CITIZENS0010136-CITIZENS0010155; Belezos - CITIZENS0012933-CITIZENS0012940; Fragale - CITIZENS0009432-CITIZENS0009445; Hawthorne - CITIZENS0010754-CITIZENS0010767; Lawrence - CITIZENS0011052-CITIZENS0011057; Nostro - CITIZENS0011519-CITIZENS0011542; Pennington - CITIZENS0011650-CITIZENS0011677; Randolph - CITIZENS0014143-CITIZENS0014145; Ross - CITIZENS0011519-CITIZENS0011542; Seufert - CITIZENS0014250-CITIZENS0014262; Strickler - CITIZENS0011976-CITIZENS0011980; Waterhouse - CITIZENS0015904-CITIZENS0015928; Ziminsky - CITIZENS0015997-CITIZENS0016017)	Citizens	Citizens' Business Record	Cumulative (Fed. R. Evid 403); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Attendance records are relevant to show the high use of "block reporting" of time (9-5 every weekday, no weekend hours and no variation). Foundation/Authentication will be established via designee or through Defendants' discovery responses,, as Defendants produced such records.



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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-12	Named Plaintiff Attendance Records (Dal Pino - CITIZENS0013396-CITIZENS0013410, CITIZENS0009267-CITIZENS0009298; Gramesty - CITIZENS0013415-CITIZENS0013429; Kinsella - CITIZENS0012714-CITIZENS0012722; Kolenda - CITIZENS0012908-CITIZENS0012917; Pedersen - CITIZENS0012806-CITIZENS0012824; Smith - CITIZENS0009721-CITIZENS0009739; Reinig - CITIZENS0000105-CITIZENS0000126; Gritz - CITIZENS0000127-CITIZENS0000139; Soda - CITIZENS0000140-CITIZENS0000190)	Citizens	Citizens' Business Record	Cumulative (Fed. R. Evid. 403); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Attendance records are relevant to show the high use of "block reporting" of time (9-5 every weekday, no weekend hours and no variation). Foundation/Authentication will be established via designee or through Defendants' discovery responses,, as Defendants produced such records. The records are business records of Defendant
P-13	Exhibits to the Deposition Transcript of 30(b)(6) Designee Dean Mathieson, March 24, 2016	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	30(b)(6) testimony constitutes admissions of party opponent; deposition testimony of a party may be utilized for any purpose.
P-14	Summary of Hours Worked as provided by Testimony		Rule 1006	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Proper summary exhibit; based upon deposition testimony and discovery evidence; allows for more streamlined trial.
P-15	Named Plaintiff Interrogatory Responses	Citizens	Citizens' Business Record	Hearsay (Fed. R. Evid. 802); Cumulative (Fed. R. Evid. 403)	Documents are not hearsay; witnesses are unavailable per trial; necessary due to confines of trial time.
P-16	Opt-In Plaintiff Interrogatory Responses	Citizens	Citizens' Business Record	Hearsay (Fed. R. Evid. 802); Cumulative (Fed. R. Evid. 403)	Documents are not hearsay; witnesses are unavailable per trial; necessary due to confines of trial time.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-17	Opt-In Plaintiff Paystubs (Belezos - CITIZENS0012941-CITIZENS0013000; Bissias - CITIZENS0013035-CITIZENS0013278; Comber - CITIZENS0010156-CITIZENS0010202; Cremeans - CITIZENS0010230-CITIZENS0010316; Duban - CITIZENS0010434-CITIZENS0010440; Farrell - CITIZENS0010452-CITIZENS0010478; Fiorello - CITIZENS0015355-CITIZENS0015389; Fragale - CITIZENS0009446-CITIZENS0009500; Gerrity - CITIZENS0010625-CITIZENS0010690; Hawthorne - CITIZENS0010768-CITIZENS0010830; Heydon - CITIZENS0015445-CITIZENS0015713; Jindra - CITIZENS0012652-CITIZENS0012660; Karametros - CITIZENS0010935-CITIZENS0011014; Gaye - CITIZENS0001679-CITIZENS0001849; Lawrence - CITIZENS0011058-CITIZENS0011071; Moyer - CITIZENS0011422-CITIZENS0011518; Nostro - CITIZENS0011543-CITIZENS0011649; Pennington - CITIZENS0011678-CITIZENS0011742; Randolph - CITIZENS0014146-CITIZENS0014159; Richards - CITIZENS0014172-CITIZENS0014249; Richardson - CITIZENS0011781-CITIZENS0011848; Roach - CITIZENS0015738-CITIZENS0015903; Ross - CITIZENS0011867-CITIZENS0011912; Seufert - CITIZENS0014263-CITIZENS0014304; Soroka - CITIZENS0011931-CITIZENS0011975; Strickler - CITIZENS0011981-CITIZENS0012000; Traxler - CITIZENS0012207-CITIZENS0012326; Warnock - CITIZENS0012386-CITIZENS0012629; Waterhouse - CITIZENS0015929-CITIZENS0015996; Ziminsky - CITIZENS0016018-CITIZENS0016080)	Citizens	Citizens' Business Record	Cumulative (Fed. R. Evid. 403)	Documents are business records of Citizens; Commission reports relevant to show hours worked and compensation.
P-18	Named Plaintiff Paystubs (Howard - CITIZENS0009518-CITIZENS0009608; Kolenda - CITIZENS0009623-CITIZENS0009692; Gramesty - CITIZENS0013430-CITIZENS0013545; Naji - CITIZENS0009697-CITIZENS0009708; Pedersen - CITIZENS0009712-CITIZENS0009720; Smith - CITIZENS0009740-CITIZENS0009785; Dal Pino - CITIZENS0009299-CITIZENS0009431, CITIZENS0016138-CITIZENS00016190; Kinsella - CITIZENS0012723-CITIZENS0012782; Reinig - CITIZENS00000191-CITIZENS00000292; Gritz - CITIZENS00000293-CITIZENS00000344; Soda - CITIZENS00000345-CITIZENS00000448)	Citizens	Citizens' Business Record	Cumulative (Fed. R. Evid. 403)	Documents are business records of Citizens; Commission reports relevant to show hours worked and compensation.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-19	Defendants' Answers to Interrogatories	Citizens	Formal Discovery Response	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury and is cumulative (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Interrogatories may be utilized as admissions of party opponents. Relevant because it shows official statements of Defendant regarding pay practices and time reporting practices
P-20	Defendants' Responses to Plaintiffs' Requests for Documents	Citizens	Formal Discovery Response	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, and/or is cumulative (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Necessary to establish foundation of numerous documents, including emails and other records prodcued by Defendant.
P-21	Email Metadata (Astrolog - CITIZENS0014856; Belezos - CITIZENS0014857; Bissias - CITIZENS0014858; Bowen - CITIZENS0014859; Choi - CITIZENS0014860; Comber - CITIZENS0014861; Cremeans - CITIZENS0014862; Dal Pino - CITIZENS0014863; Della Penna - CITIZENS0014887; Farrell - CITIZENS0014864; Fragale - CITIZENS0014865; Fraser - CITIZENS0014866; Gerrity - CITIZENS0014867; Gramesty - CITIZENS0014868; Gritz - CITIZENS0014869; Hawthorne - CITIZENS0014870; Hooper - CITIZENS0014871; Howard - CITIZENS0014872; Jindra - CITIZENS0014873; Jones - CITIZENS0014874; Karametros - CITIZENS0014875; Kinsella - CITIZENS0014876; Knight - CITIZENS0014877; Kolenda - CITIZENS0014878; Kraft - CITIZENS0014879; Lawrence - CITIZENS0014880; McDermott - CITIZENS0014881; Miller - CITIZENS0014882; Moyer - CITIZENS0014883; Naji - CITIZENS0014884; Nostro - CITIZENS0014885; Pedersen - CITIZENS0014886; Pennington - CITIZENS0014888; Randolph - CITIZENS0014889; Reinig - CITIZENS0014890; Richards - CITIZENS0014891; Richardson - CITIZENS0014892; Ross - CITIZENS0014893; Seufert - CITIZENS0014894; Smith - CITIZENS0014895; Soda - CITIZENS0014896; Soroka - CITIZENS0014897; Strickler - CITIZENS0014898; Swane - CITIZENS0014899; Tetreault - CITIZENS0014900; Traxler - CITIZENS0014901; Vaughn - CITIZENS0014902; Warnock - CITIZENS0014903; Wilson - CITIZENS0014904)	Citizens	Citizens' Business Record	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury, and does not provide context regarding the metadata. Furthermore, many of the Plaintiffs admitted that simply because an email shows up in this metadata report does not mean it is related to work and, therefore, could be compensable time. (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Relevant to show hours worked; documents constitute business records; authenticated through testimony and/or document responses.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
P-22	All discovery and depositions designated by Plaintiffs			Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802)	Objections to designations separately reviewed in cross-designations and objections
P-23	All discovery and depositions designated by Defendants			Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802)	Objections to designations separately reviewed in cross-designations and objections
P-24	Any additional exhibits necessary to establish foundation			Citizens reserves the right to object to Plaintiffs' Exhibit 24	Vague objection not based on any actual documents or exhibits.
P-25	2012 MLO Compensation Plan	Citizens	Citizens' Business Record	Cumulative of J-4 (Fed. R. Evid. 403) plans are substantially similar	Not cumulative of J-4. In 2012, MLOs were non-exempt and not paid OT. Plaintiffs' theory is that D attempted to create a compensation plan that is did not change compensation despite re-designatin MLOs as non-exempt.
P-26	Summary Exhibit of Hours Reported		Rule 1006 Summary Exhibit	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106); Improper evidence requiring expert testimony under Fed. R. Evid. 702 and, therefore, Defendant incorporates by reference the objections to said testimony set forth in its omnibus motion in limine see Dkt. No. 188 (motion in limine nos. 5 and 6)	Plaintiffs' summary provides significant more detail than Defendants' Exhibit showing just the numbe of o/t hours reported throughout the class. The higher level of detail allows discussion regarding the extent the overtime was not reported at Citizens. This document is not expert testimony; it is a sumamry of P-6, showing sums and averages
D-1	Email Compilation Disseminating Memo from T. Gamache to MLOs re Time Entry and Overtime Practices, CITIZENS_ESI00189312-00189313; CITIZENS_ESI0068603-00068605				
D-2	Alex Reinig Offer Letter CITIZENS000006-000009	Citizens	Citizens' Business Record	Relevance, Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901)	Relevant to show compensation policies and discussions regarding expectations of job and hours to be worked; offer letter was authenticated at the deposition of Alex Reinig.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
D-3	Rule 1006 Summary of Interrogatory Responses to Interrogatories 10, 12 and 13 of Plaintiffs Who Provided Such Responses	Citizens	Rule 1006 Summary of Party Admissions	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Relevant to show lack of a common policy or practice that caused MLOs to not record all hours worked; summary exhibit (Fed. R. Evid. 1006) of Plaintiffs' responses, which are party admissions (Fed. R. Evid. 801(d))
D-4	Mark Richards' Response to Opt-In Survey CITIZENS_ESI00094535-00094538	Plaintiffs	Party Admission	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)/Privilege	Relevant; Party admission; Not privileged because it consists solely of factual information, it bears no designation of privilege, work product, or confidentiality, and there is no indication this document was sent by counsel. Even assuming this document is privileged, which it is not, Plaintiffs have waived any claim of privilege. See ( Fed. R. Evid. 502). Plaintiffs' counsel's email of August 24, 2017, is the first time Plaintiffs have claimed this document is privileged. Yet, this document was produced to Plaintiffs in February 2017, included in Defendant's decertification brief (see Dkt. No. 112 fn. 5; see also Etter Decl. at Ex. 7), and referenced by the Special Master in his report and recommendation (Dkt. No. 180; ECF p. 30, fn. 10). As such, this exhibit is already in the public domain.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
D-5	Rule 1006 Summary of Total Overtime Hours Worked and Paid During Relevant Period [for 351 members of collective]	Citizens	Rule 1006 Summary of Citizens' Business Records	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Relevant to show lack of a common policy or practice that caused MLOs to not record all hours worked and, instead, often recorded overtime; the data sets used to prepare the summations are from Citizens electronic payroll and timekeeping systems and are the same data sets Citizens produced in this litigation and upon which Plaintiffs' expert relied when preparing his report and calculations. The summation is not false, misleading, or incomplete because it is simply a summary of the weekly data from Citizens electronic timekeeping system for named plaintiffs and opt-in plaintiffs. The large number of weeks with overtime hours recorded by named plaintiffs and opt-in plaintiffs makes it less probable that any alleged unwritten policy or practice exists or that such unwritten policy or practice caused MLOs to not record their hours worked.



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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
D-6	Rule 1006 Summary of Hours Worked Under 40, At 40, and Over 40 [for 351 members of collective]	Citizens	Rule 1006 Summary of Citizens' Business Records	Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Relevant to show lack of a common policy or practice that caused MLOs to not record all hours worked and, instead, often recorded overtime; the data sets used to prepare the summations are from Citizens electronic payroll and timekeeping systems and are the same data sets Citizens produced in this litigation and upon which Plaintiffs' expert relied when preparing his report and calculations. The summation is not false, misleading, or incomplete because it is simply a summary of the weekly data from Citizens electronic timekeeping system for named plaintiffs and opt-in plaintiffs. The large number of weeks with overtime hours recorded by named plaintiffs and opt-in plaintiffs makes it less probable that any alleged unwritten policy or practice exists or that such unwritten policy or practice caused MLOs to not record their hours worked.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
D-7	Rule 1006 Summary of Annual Incentive Compensation [for 351 members of collective]	Citizens	Rule 1006 Summary of Citizens' Business Records	Relevance (401); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Relevant to show lack of a common policy or practice that caused MLOs to not record all hours worked and, instead, often recorded overtime; the data sets used to prepare the summations are from Citizens electronic payroll and timekeeping systems and are the same data sets Citizens produced in this litigation and upon which Plaintiffs' expert relied when preparing his report and calculations. The summation is not false, misleading, or incomplete because it is simply a summary of the weekly data from Citizens electronic timekeeping system for named plaintiffs and opt-in plaintiffs. The large number of weeks with overtime hours recorded by named plaintiffs and opt-in plaintiffs makes it less probable that any alleged unwritten policy or practice exists or that such unwritten policy or practice caused MLOs to not record their hours worked.

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Exhibit Number	Exhibit Description	Author	Type of Document	Objection as to Authenticity/Admissibility	Response to Objections
D-8	Rule 1006 Summary of Annual Total Compensation [for 351 members of collective]	Citizens	Rule 1006 Summary of Citizens' Business Records	Relevance (401); Probative value is substantially outweighed by unfair prejudice, confusing the issues, misleading the jury (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802); Improper foundation and/or lack of authentication (Fed. R. Evid. 901); Incomplete (Fed. R. Evid 106)	Relevant to show lack of a common policy or practice that caused MLOs to not record all hours worked and, instead, often recorded overtime; the data sets used to prepare the summations are from Citizens electronic payroll and timekeeping systems and are the same data sets Citizens produced in this litigation and upon which Plaintiffs' expert relied when preparing his report and calculations. The summation is not false, misleading, or incomplete because it is simply a summary of the weekly data from Citizens electronic timekeeping system for named plaintiffs and opt-in plaintiffs. The large number of weeks with overtime hours recorded by named plaintiffs and opt-in plaintiffs makes it less probable that any alleged unwritten policy or practice exists or that such unwritten policy or practice caused MLOs to not record their hours worked.
D-9	Expert Report of Stephen G. Bronars, Ph.D	Citizens	Rebuttal Expert Report	Hearsay/Relevance. Also, Bronars report was provided as a rebuttal report to rebut Speakmans's expert damages calculations. Speakman did not opine on whether a policy existed that caused MLOs to not report all time worked; Speakman is not being called as an expert in Phase I of the trial (Speakman is a damages expert). Thus, Bronars is limited to rebutting damages expert testimony, which is not being offered.	Relevant to show lack of a common policy or practice that caused MLOs to not record all hours worked; will be authenticated through testimony
D-10	Demonstrative Exhibits consisting of summations, enlargements, call-outs, and presentations of any of the exhibits listed herein			Plaintiffs reserve objections until exhibitis are provided.	
D-11	Any additional exhibits necessary to establish foundation			Plaintiffs reserve objections until exhibitis are provided.	
D-12	Defendant reserves the right to offer any and all exhibits listed or offered by Plaintiffs and not objected to by Defendant			Plaintiffs reserve objections until exhibitis are provided.	